

SENATE BILL 2362
By Ford J

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 6,
relative to emergencies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-218, is amended by adding the
following new subsection (c) and redesignating the remaining subsections accordingly:

(c) Any person or health care provider who, in the absence of gross negligence,
renders emergency obstetrical care or assistance to a female in action labor who has not
previously been cared for in connection with the pregnancy by such person or by
another professionally associated with such person and whose medical records are not
reasonably available to such person shall not be liable for any civil damages for acts or
omissions resulting from the rendering of such emergency care or assistance. The
immunity herein granted shall apply only to the emergency medical care provided.

SECTION 2. Tennessee Code Annotated, Section 63-6-218, is amended by adding the
following new subsections:

(f) Any emergency medical care attendant or technician possessing a valid
certificate issued by authority of Tennessee Code Annotated, Title 68, Chapter 140, Part
5, who in good faith renders emergency care or assistance whether in person or by
telephone or other means of communication, without compensation, to any injured or ill
person, whether at the scene of an accident, fire or any other place, or while transporting
such injured or ill person to, from, or between any hospital, or medical facility, shall not

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be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but in no way limited to acts or omissions which involve violations of the department of health regulations or any other state regulations in the rendering of such emergency care or assistance.

(g) Any person having attended and successfully completed a course in cardiopulmonary resuscitation, that has been approved by the department of health, who in good faith and without compensation renders or administers emergency cardiopulmonary resuscitation, cardiac defibrillation, or other emergency life-sustaining or resuscitative treatments or procedures which have been approved by the department of health, to any sick or injured person, whether at the scene of a fire, an accident, or any other place, or while transporting such person to or from any hospital, clinic, doctor's office or other medical facility, shall be deemed qualified to administer such emergency treatments and procedures, and such individual shall not be liable for acts or omissions resulting from the rendering of such emergency resuscitative treatment or procedures. For the purpose of this subsection, the term "compensation" shall not be construed to include the salaries of police, fire, or other public officials or emergency service personnel who render such emergency assistance.

(h) Any licensed physician who directs the provision of emergency medical services, as authorized by the department of health through a communications device shall not be liable for any civil damages for any act or omission resulting from the rendering of such emergency medical services unless such act or omission was the result of such physician's gross negligence or willful misconduct.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.